

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ZACHARY CRUTCHER,)	
)	
Petitioner,)	
)	
v.)	No. CIV-05-32-L
)	
SHERIFF JOHN WHETSEL,)	
)	
Respondent .)	

ORDER

This matter is before the court for review of the Report and Recommendation entered by the Honorable Bana Roberts on June 30, 2005, in which she recommended that the petition for writ of habeas corpus be dismissed without prejudice. The court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed and to date petitioner has failed to object to the Report and Recommendation. Having conducted a *de novo* review of this matter, the court finds that the Report and Recommendation should be adopted in its entirety. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is therefore dismissed **without prejudice**. Judgment will issue accordingly.

It is so ordered this 25th day of August, 2005.



TIM LEONARD
United States District Judge